



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/638,398	08/15/2000	Katsumi Nakagawa	35.C12475DIV.1	3548

5514 7590 12/19/2001

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

MULPURI, SAVITRI

ART UNIT	PAPER NUMBER
----------	--------------

2812

DATE MAILED: 12/19/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.  
**09/638,398**

Applicant(s)  
**Nakgawa et al**

Examiner  
**Savitri Mulpuri**

Art Unit  
**2812**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Sep 17, 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 6, 7, 11-21, 23, 26, 27, 29-67, 82-86, 88-91, and 93-110 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6, 7, 11-21, 23, 26, 27, 29-67, 82, 88-91, and 93-110 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other:

Art Unit:

### DETAILED ACTION

This action is in response to the applicant's response filed on 9/7/01

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,6-7,11-21,23,26-27,29-67,82-86,88-91,93-110 are rejected under 35

U.S.C. 103(a) as being unpatentable over kondo et al(US 5,536,361) Matsushita et al (5,811,348)

Yonehara et al, and Sakaguchi et al (US 5,492,859 or 5277748) in combination with Baliga et al.

Kondo et al teaches a method of making a solar cell by the following process steps: Forming porous layer on a surface of the first substrate, growing epitaxial layer by LPE, bonding second substrate to epitaxial layer; separating the first substrate from first substrate by utilizing the porous layer to transfer epitaxial layer to second substrate (see abstract and claim 1, col. 4, line 17). Yonehara and Matsushita et al or Sakaguchi et al teaches a method making solar cells including LPE, which is similar process as claimed(see abstract and claim 15 in Yonehara and claim 1 in Matsushita et al).Kondo, Yonehara or Matsushita et al all discloses forming growing silicon layer by LPE. Sakaguchi further discloses leaving portion of porous layer on the first substrate.

None of the references teaches some particulars of the LPE condition as instantly claimed to form pn-junction under reduced atmosphere. Baliga teaches LPE technique for forming p-type

Art Unit:

silicon epitaxial layer followed by n-type silicon epitaxial layer under reduced atmosphere to form pn junctions. Baliga particularly teaches melt is saturated with silicon, which is met by instant claim limitation (see abstract and col. 2, lines 32-45 and col. 1, lines 60-68; col. 2, lines 10-43, col 3, 50-59). It would have been obvious to one of ordinary skill in the art to form additional opposite conductivity type silicon layer by LPE at reduced temperature in the invention of Kondo et al , Matsushita et al, Yonehara and Sakaguchi et al.

As claimed in claims 102,104,109,110 with respect to impurity doping into transferred layer is obvious process steps to form pn junctions, thereby completing semiconductor such as solar cells.

Claims 58 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo, Yonehara or Matsushita et al or Sakaguchi as applied to claims 1,3,6-7,11-21,23,26-27,29-67,82-86,88-91,93-110 above, and further in view of Hokuyou.

Hokuyou teaches, after bonding and separating the first substrate for making solar cells, first substrate can be used to repeat the same process for making solar cells(see col. 3, lines 54-56). It would have been obvious to one of ordinary skill in the art to use the substrate for making another set solar cells by using the same first substrate and thereby reducing the cost and weight.

Claims 11-18, 31-38, 94-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo, Yonehara or Matsushita et al or Sakaguchi as applied to above claims above, and further in view of Sullivan et al.

Art Unit:

None of the references teach using water soluble adhesive on the second substrate before bonding. Sullivan teaches forming adhesive e.g., resin or glue on the porous substrate "26" ; bonding the substrate "26" with first substrate "20" having plural device layers followed by release of first substrate "20"; then bonding the second substrate "26" having device layers to third substrate "30"; Sullivan further teach solvent, which is dissolvable adhesive will go to porous substrate "26" to promote fast release. Releasing the second substrate from third substrate is by using chemical technique to dissolve the adhesive, which could be inherently water to leave the device layers on third substrate "30" (see figs 2 A-2 F and detailed description).

Applicant's arguments with respect to claims 1,3,6-7,11-21,23,26-27,29-67,82-86,88-91,93-110 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

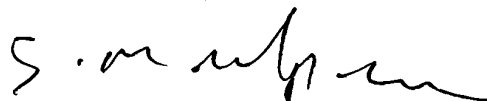
Art Unit:

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art, in general, teaches method of making solar cell.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Mulpuri whose telephone number is (703) 305-5184. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.



S. Mulpuri

Patent Examiner

Technology Center 2800

SM